

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE WAVE STUDIO, LLC,

Plaintiff,

v.

TRIVAGO N.V., TRIVAGO SERVICES US,
LLC, TRIP.COM GROUP LIMITED,
TRIP.COM TRAVEL SINGAPORE PTE.
LTD., SKYSCANNER LTD., MAKEMYTRIP
INDIA PVT. LTD., MAKEMYTRIP.COM,
INC.,

Defendants.

Case No. 7:23-cv-03586-NSR

**[PROPOSED]
ORDER TO SHOW CAUSE WITH
TEMPORARY RESTRAINTS**

Upon reading and filing of the Complaint by Plaintiff, The Wave Studio, LLC (“Wave”), the accompanying Memorandum of Law in Support of Motion for Temporary Restraining Order and Preliminary Injunction, Emergency Affirmation of Gabriel Berg and the Affidavit of Lee Kar Yin, together with the exhibits annexed thereto, and upon all proceedings to be had herein; and good and sufficient cause having been shown:

LET, the above-named defendants, Trivago N.V., Trivago Services US, LLC, Trip.com Group Limited, Trip.com Travel Singapore Pte. Ltd., Skyscanner Ltd., MakeMyTrip.com Inc., show cause before the Hon. Nelson S. Roman, at The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas St., White Plains, New York, in a hearing on _____, 2023, at _____ o’clock in the [a.m.][p.m.] or as soon thereafter as counsel may be heard (the “Preliminary Injunction

Hearing”), why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure, during the pendency of this action, enjoining Defendants, along with their officers, agents, servants, employees, attorneys, parent companies, subsidiaries and affiliates and all other persons who are in active concert or participation with them, from taking any of the following actions:

- (1) Continuing to use any photograph that is copyrighted and owned by Wave (identified below) for any purpose, including but not limited to use on websites, mobile sites, mobile apps, Image Distribution Hubs, storage mechanisms, content delivery networks and other electronic means;
- (2) The specific copyrighted works owned by Wave at issue on this motion include the following:

Registration Number	Title of Work
VA 1-432-332	The Wave Design Pte. Ltd. Photographs 2005
VA 1-432-324	Wave-s Photographs 2001
VA 1-432-325	Wave-s Photographs 2002
VA 1-432-326	The Wave Design Pte. Ltd. Photographs 2007 (A)
VA 1-432-328	Wave-s Photographs 2003
VA 1-432-329	Wave-s Photographs 2004
VA 1-432-331	The Wave Pte. Ltd. Photographs 2005 (A)
VA 1-758-524	Wave-s Photographs 2004 (B)
VAu 1-055-458	The Wave Design Pte. Ltd. Unpublished photographs 2005 (C) setai429 – setai803

IT IS ORDERED that pending this Court’s hearing and determination of the motion seeking injunctive relief brought on this Order to Show Cause, Defendants, their

officers, agents, servants, employees, attorneys, parent companies, subsidiaries and affiliates and all persons acting or purporting to act on their behalf with notice hereof, are hereby **RESTRAINED and ENJOINED** from using any of Wave's Copyrighted Works for any purpose;

IT IS FURTHER ORDERED that personal service of a copy of this order and Plaintiff's moving papers upon the Defendants by federal express on or before May ____, 2023, shall be deemed good and sufficient service thereof;

IT IS FURTHER ORDERED that answering papers be served on Plaintiffs' counsel, Robins Kaplan, 1325 Avenue of the Americas, Suite 2601, New York, New York, 10019, and filed with the Court on or before the ____ day of ____, 2023, and that Plaintiff's reply papers be served on Defendants' counsel, with a copy by email, and filed with the Court on or the ____ day of ____, 2023; and

IT IS FURTHER ORDERED that the Preliminary Injunction Hearing on this application is directed on the return date of this Order to Show Cause and the Temporary Restraining Order shall remain in full force and effect through the return date on this Order to Show Cause.

DATED: New York, New York
May, ____, 2023

UNITED STATES DISTRICT JUDGE